

THIRTY-SEVENTH DAY

(Thursday, March 17, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kelly of Tarrant
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moore
Carney	Morris
Colson	Phillips
Corbin	Shofner
Cousins	Strauss
Hardeman	Taylor
Hazlewood	Tynan
Hudson	Vick
Jones	Weinert

Absent

Moffett

Absent—Excused

Harris	Lane
Kelley of Hidalgo	Proffer

A quorum was announced present.

Reverend Frank Luker, Chaplain, offered the invocation.

On motion of Senator Martin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Harris was granted leave of absence for today on account of important business on motion of Senator Shofner.

Senator Lane was granted leave of absence for today on account of important business on motion of Senator Carney.

Senator Kelley of Hidalgo was granted leave of absence for today on account of important business on motion of Senator Phillips.

Senator Proffer was granted leave of absence for today on account of important business on motion of Senator Corbin.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 17, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 45, Granting each House permission to adjourn from Thursday, March 17, 1949, until Monday, March 21, 1949.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Reports of Standing Committees

Senator Carney submitted the following report:

Austin, Texas,
March 17, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred House Bill No. 104, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CARNEY, Chairman.

Senator Morris submitted the following reports:

Austin, Texas,
March 17, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill No. 368, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,
March 17, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill No. 369, have had same under consideration, and I am instructed to report it back to the Senate with the

recommendations that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,
March 17, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill No. 389, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,
March 17, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill No. 208, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass, as amended, and be printed.

MORRIS, Chairman.

Austin, Texas,
March 17, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill No. 192, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

MORRIS, Chairman.

Senator Phillips submitted the following report:

Austin, Texas,
March 17, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Oil, Gas, and Conservation, to whom was referred Senate Resolution No. 21, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Vice Chairman.

Senate Bill on First Reading

By unanimous consent, the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Bullock:

S. B. No. 404, A bill to be entitled "An Act making it unlawful to take minnows from any of the waters of Mitchell County under certain conditions; providing a penalty; repealing all laws in conflict herewith; and declaring an emergency."

To Committee on Game and Fish.

Senate Resolution 81

Senator Bell offered the following resolution:

Whereas, We will be honored to have with us today Mrs. Julia Luddeke and Mr. Frank J. Kasprzyk and forty honor students of Cuero High School; and

Whereas, These teachers and students are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially recognized and welcomed by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

House Concurrent Resolution 45

The President laid before the Senate for consideration at this time:

H. C. R. No. 45, Granting each House permission to adjourn from Thursday March 17, 1949 until Monday, March 21, 1949.

The resolution was read and was adopted.

Senate Resolution 82

Senator Phillips offered the following resolution:

Whereas, The Honorable Sam Rayburn, distinguished Texan and Speaker of United States House of Representatives, will be in Austin on Thursday, March 24th, for the purpose of addressing a Texas Jackson Day Dinner to be held on the night of March 24th; and

Whereas, Arrangements are being made to take care of a host of Democrats who will gather in Austin from all parts of Texas to participate in this Democratic gathering to further the interests of the Democratic Party; and

Whereas, There are many details to be worked out by the local committee

in charge of the dinner; now, therefore, be it

Resolved, That the Senate empower the Lieutenant Governor to appoint a committee of five members of the Senate to assist in arranging for this Jackson Day Dinner at which the distinguished Speaker, Sam Rayburn, will speak.

PHILLIPS
JONES

The resolution was read and was adopted.

Senate Committee to Assist in Arranging for Jackson Day Dinner

In accordance with the provisions of Senate Resolution No. 82, the President announced the appointment of the following committee: Senators Jones, Chairman, Phillips, Aikin, Proffer and McDonald.

Senate Bill 28 Set as Special Order

Senator Carney moved that Senate Bill No. 28 be set as a special order for Monday, March 28, 1949, immediately following the morning call.

The motion prevailed by the following vote:

Yeas—18

Ashley	Bullock
Bell	Carney
Bracewell	Hardeman
Hazlewood	Morris
Hudson	Shofner
Jones	Strauss
Kelly of Tarrant	Tynan
Lock	Vick
McDonald	Weinert

Nays—6

Aikin	Moore
Colson	Phillips
Martin	Taylor

Absent

Corbin	Moffett
Cousins	

Absent—Excused

Harris	Lane
Kelley of Hidalgo	Proffer

Senate Bill 71 Set as Special Order

Senator Vick moved that Senate Bill No. 71 be set as a special order for

Tuesday, March 29, 1949, immediately following morning call.

The motion prevailed by the following vote:

Yeas—20

Aikin	Jones
Ashley	Lock
Bell	McDonald
Bracewell	Morris
Bullock	Phillips
Carney	Shofner
Colson	Strauss
Corbin	Tynan
Hardeman	Vick
Hudson	Weinert

Nays—2

Martin	Moore
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Absent

Cousins	Moffett
Hazlewood	Taylor
Kelly of Tarrant	

Absent—Excused

Harris	Lane
Kelley of Hidalgo	Proffer

House Bill 53 on Second Reading

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 53, A bill to be entitled "An Act providing for the incorporation of a rural high school district; authorizing the presentation of a petition to the county board; authorizing the county judge to call an election; authorizing the commissioners court to canvass an election and declare the results; authorizing the commissioners court to certify results of election provided for board of trustees; repealing all conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 53 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bullock	Morris
Carney	Phillips
Colson	Proffer
Corbin	Shofner
Hardeman	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert

Absent

Bracewell	Moffett
Cousins	Moore

Absent—Excused

Harris	Lane
Kelley of Hidalgo	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Martin
Ashley	McDonald
Bell	Moore
Bullock	Morris
Carney	Phillips
Colson	Proffer
Corbin	Shofner
Cousins	Strauss
Hardeman	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert

Absent

Bracewell	Lock
Hazlewood	Moffett

Absent—Excused

Harris	Lane
Kelley of Hidalgo	

House Bill and Resolution on First Reading

The following bill and resolution received from the House, were laid before the Senate, read severally the first time and referred to the committees indicated:

H. B. No. 320, to Committee on Finance.

H. J. R. No. 5, to Committee on Constitutional Amendments.

Senate Resolution 21 Ordered Not Printed

On motion of Senator Phillips, Senate Resolution 21 was ordered not printed.

Hour for Executive Session

On motion of Senator Strauss, the Senate agreed to hold an executive session at 11:30 a.m., Monday, March 21, 1949.

Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following resolutions:

S. C. R. No. 26, Invitation to Honorable Perry Brown, National Commander of American Legion, to address joint session of the Legislature.

S. C. R. No. 27, In memory of Judge E. A. Berry, Sr.

S. C. R. No. 28, Fixing time for a Joint Session of the Legislature to hear an address by Honorable Luther H. Evans.

Adjournment

On motion of Senator Martin, the Senate at 11:15 o'clock a.m., adjourned until 10:30 o'clock a.m. Monday, March 21, 1949.

Record of Vote

Senator Phillips asked to be recorded as voting "nay" on the motion to adjourn.

THIRTY-EIGHTH DAY

(Monday, March 21, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Jones
Ashley	Kelley of Hidalgo
Bell	Kelly of Tarrant
Bracewell	Lane
Carney	Lock
Colson	Martin
Corbin	McDonald
Cousins	Moffett
Hardeman	Morris
Harris	Phillips
Hazlewood	Proffer
Hudson	Shofner